

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

KRYSTAL LATTIG, on behalf of herself : Hon. Joseph H. Rodriguez
and those similarly situated :

Plaintiffs, : Civil Action No. 17-6351
:

v.

MEMORANDUM ORDER

OZZ LAND, LLC, a Domestic Limited
Liability Company d/b/a DEEPWATER :
DINER and ALAYYIDDIN OZDEMIR :

Defendants. :
:

This matter having come before the Court on Plaintiff Krystal Lattig's motion seeking entry of default judgment [Dkt. No. 5] against Defendants Ozz Land, LLC, a Domestic Limited Liability Company d/b/a Deepwater Diner and Alayyiddin Ozdemir, pursuant to Rule 55 of the Federal Rules of Civil Procedure; and the Court having considered the written submissions filed in support of the Motion for Default Judgment; and

The Court finding that Plaintiff's submission is deficient in that there is not an affidavit and/or proof showing valid service was made on the particular defendants in accordance with Fed.R.Civ.P. 4 and by way of incorporation, the New Jersey Court Rules governing service; and

The Court further finding that the motion is deficient in that it fails to append an affidavit of non-military service in compliance with the Soldiers and Sailors' Relief Act,

see Fed. R. Civ. P. 55(b)(2); 50 U.S.C. App. § 501 et seq. (2006) (codification of the Servicemembers Civil Relief Act of 2003); Ciasulli v. Hartmann, No. 08–5544, 2009 WL 150668, at *1 (D.N.J. Jan. 21, 2009) (citation omitted); as a result

IT IS on this 6th day of March, 2018 hereby

ORDERED that Plaintiff's Motion for Default Judgment [Dkt. No. 5] is DENIED.

s/ Joseph H. Rodriguez
Hon. Joseph H. Rodriguez,
UNITED STATES DISTRICT JUDGE